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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/668,785	09/22/2000	James Longbottom	WEAT/0042	2355

36735 7590 01/07/2009  
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HOUSTON, TX 77056

EXAMINER
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FRENEL, VANEL

ART UNIT	PAPER NUMBER
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3687

MAIL DATE	DELIVERY MODE
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01/07/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/668,785	<b>Applicant(s)</b> LONGBOTTOM ET AL.	
	<b>Examiner</b> VANEL FRENEL	<b>Art Unit</b> 3687	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10/14/08.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 96-111 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 96-111 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                        |                                                                   |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>20081014</u> .                                                | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### Notice to Applicant

1. This communication is in response to the Amendment filed on 10/14/08. Claims 96-111 are pending.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 96-111 are rejected under 35 U.S.C. 103(a) as being unpatentable over Henneuse et al.(5,272,925) in view of Devereaux et al. (2007/0043843).

As per claim 96, Henneuse discloses a method for monitoring assembly of a tubular connection at a drilling rig from an off-site location (See Henneuse, Fig.1; Col.1, lines 12-28), comprising: engaging a first threaded tubular with a second threaded tubular (See Henneuse, Col.2, lines 37-46); rotating the first tubular relative to the second tubular (See Henneuse, Col.2, lines 37-46); and during rotation of the first threaded tubular: measuring torque applied to the first tubular (See Henneuse, Col.2, lines 28-33).

Henneuse does not explicitly transmitting the torque measurement to a remote computer via a wireless communication link; monitoring assembly of the connection via

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an at least two-way data communication connection over the Internet between the remote computer and a computer at the off-site location by a person at the off-site location; communicating between the off-site person and a person on the drilling rig wearing a human-portable data communications module via the communication connection; and inserting the tubulars into a wellbore.

However, these features are known in the art, as evidenced by Devereaux. In particular, Devereaux suggests transmitting the torque measurement to a remote computer via a wireless communication link (See Devereaux, Page 2, Paragraphs 0015; 0018; 0023); monitoring assembly of the connection via an at least two-way data communication connection over the Internet between the remote computer and a computer at the off-site location by a person at the off-site location (See Devereaux, Page 2, Paragraphs 0015; 0018; 0023); communicating between the off-site person and a person on the drilling rig wearing a human-portable data communications module via the communication connection (See Devereaux, Page 2, Paragraph 0018); and inserting the tubulars into a wellbore (See Devereaux, Page 2, Paragraph 0018).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the features of Devereaux within the system Henneuse with the motivation of providing a small wearable portable access unit (PAU) communicates over high -rate link to a centrally-located network access unit, called a general purpose node herein (See Devereaux, Page 1, Paragraph 0012).

As per claim 97, Henneuse discloses the method further comprising: measuring turns of the first tubular (See Henneuse, Col.2, lines 37-46); and transmitting the turns measurement to the remote computer (See Henneuse, Col.2, lines 47-68).

As per claim 98, Henneuse discloses the method further comprising determining acceptability of the tubular connection using the torque and turns measurements (See Henneuse, Col.2, lines 28-46).

As per claim 99, Devereaux discloses the method wherein the communication between the people comprises directing assembly of the connection by the off-site person (See Devereaux, Page 2, Paragraphs 0015; 0018; 0023).

As per claim 100, Devereaux discloses the method, wherein: the second tubular is part of a tubular string, and the method further comprises drilling a wellbore to an oil and/or gas bearing formation using the tubular string (See Devereaux, Page 2, Paragraph 0018).

As per claim 101, Henneuse discloses the method wherein: the tubular string is stuck or damaged in the wellbore, and the method further comprises recovering at least a portion of the tubular string (See Henneuse, Col.1, lines 13-36).

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As per claim 102, Henneuse discloses the method further comprising transmitting data from at least one sensor located in the wellbore to the remote computer (See Henneuse, Fig.1; Col.2, lines 15-68).

As per claim 103, Henneuse discloses the method wherein the sensor monitors a condition of the tubular string (See Henneuse, Col.1, lines 28-44).

As per claim 104, Henneuse discloses the method wherein the tubulars are drill pipe and the tubular string is a drill string (See Henneuse, Col.1, lines 28-44).

As per claim 105, Henneuse discloses the method further comprising scanning barcodes or RFID tags disposed on or in the first tubular (See Henneuse, Col.2, lines 47-68).

As per claim 106, Devereaux discloses the method wherein the communication connection is real time (See Devereaux, Abstract).

As per claim 107, Henneuse discloses the method wherein the tubulars are casing (See Henneuse, Col.2, lines 47-68).

As per claim 108, Devereaux discloses the method wherein the communications module comprises an external camera, and the communication between the people

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comprises transmitting an image or video corresponding to the on-site person's view to the off-site person (See Devereaux, Fig.2; Page 3, Paragraph 0028).

As per claim 109, Devereaux discloses the method wherein the communications module is fastened to a hardhat (See Devereaux, Page 4, Paragraph 0045).

As per claim 110, Devereaux discloses the method wherein the communications module comprises a video display. (See Devereaux, Page 4, Paragraph 0045).

As per claim 111, Devereaux discloses the method wherein the communications module comprises a GPS locator (See Devereaux, Page 4, Paragraph 0045); and the method further comprises transmitting location information of the on-site person to the off-site computer via the communication connection (See Devereaux, Page 4, Paragraph 0045).

### ***Response to Arguments***

4. Applicant's arguments filed on 10/14/08 with respect to claims 96-111 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to VANEL FRENEL whose telephone number is (571)272-6769. The examiner can normally be reached on 6:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew S. Gart can be reached on 571-272-3955. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Matthew S Gart/  
Supervisory Patent Examiner, Art  
Unit 3687

/Vanel Frenel/  
Examiner, Art Unit 3687  
January 3, 2009